

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Noemi Saldierna**

**Docket No. 7:13-MJ-1087-RJ**

**Petition for Action on Probation**

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Noemi Saldierna, who, upon an earlier plea of guilty to Reckless Driving, in violation of N.C.G.S. 20-140(b) as assimilated by 18 U.S.C. § 13, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on September 12, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall pay a \$100 fine and a \$10 special assessment.

On October 19, 2013, Saldierna completed 24 hours community service. It is noted the court indebtedness remains outstanding. On November 17, 2013, Saldierna relocated to San Diego, California, as the result of her husband's military transfer. Consequently, she is now being supervised by the Southern District of California (SDCA).

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** SDCA U.S. Probation Officer Mimi Manzano contacted the probation officer and reported Saldierna admitted she has been consuming alcohol each night resulting in intoxication on a regular basis. Therefore, SDCA requests the terms of probation be modified to include the defendant abstain from alcohol use, and that drug testing will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by the court.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. Drug testing requirements will not exceed submission of more than four drug tests per month during the term of supervision, unless otherwise ordered by the court.

**Noemi Saldierna**  
**Docket No. 7:13-MJ-1087-RJ**  
**Petition For Action**  
**Page 2**

2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.  
C. Lee Meeks, Jr.  
U.S. Probation Officer  
200 Williamsburg Pkwy, Unit 2  
Jacksonville, NC 28546-6762  
Phone: 910-347-9038  
Executed On: January 8, 2014

**ORDER OF COURT**

Considered and ordered this 8 day of January, 2014, and ordered filed and made a part of the records in the above case.

  
Robert B. Jones, Jr.  
U.S. Magistrate Judge